



PATENT APPLICATION
DOCKET NO.: 1159.1008-005
#6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

AUG 15 2002

TECH CENTER 1600/2900

Application No.: 09/834,240

Group Art Unit: 1641

Filed: April 12, 2001

Examiner: Unknown

Title: Quality Control For Cytochemical Assays

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202

on

Date

Signature

Kathleen Riley

Typed or printed name of person signing certificate

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

This Information Disclosure Statement is submitted:

under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

under 37 CFR 1.97(c) together with either:

a Statement under 37 CFR 1.97(e), as checked below, or

a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

under 37 CFR 1.97(d) together with:

a Statement under 37 CFR 1.97(e), as checked below, and

a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.

(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- [] Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- [] No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- [] Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

[X] Enclosed herewith is form PTO-1449:

- [] Copies of the cited references are enclosed.
- [X] Copies of cited references are enclosed except those entered in prior application, U.S. Application No. 09/549,855, to which priority under 35 U.S.C. 120 is claimed.
- [] The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- [] The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
 - [] the explanation provided on the attached sheet.
 - [] the explanation provided in the Specification.
 - [] submission of the enclosed International Search Report.
 - [] submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
 - [] the enclosed English language abstract.

[] Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

- ____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

- [] A copy of each above-cited application, including the current claims, is enclosed.
[] A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- [] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
[] Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.
[X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

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Dated: August 7, 2002

PTO-1449 REPRODUCED

ATTORNEY DOCKET NO.
1159.1008-005APPLICATION NO.
09/834,240SECOND SUPPLEMENTAL INFORMATION DISCLOSURE
CITATION
IN AN APPLICATIONAPPLICANT
Seshi R. Sompuram, et al.

RECEIVED

AUG 13 2002

August 7, 2002

FILING DATE
April 12, 2001GROUP
1641

AUG 15 2002

(Use several sheets if necessary)

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U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
AH5		5,312,744	17 May 94	Shibata	435	174	
AI5		5,411,894	2 May 95	Cotter, et al.	436	174	
AJ5							
AK5							
AH							
AI							
AJ							
AK							

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
AM2		WO 99/02714	21 Jan 99	PCT			
AN2							
AO2							
AP2							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AS3	Larsson, et al., "Glass slide models for immunocytochemistry and in situ hybridization," <i>Histochemistry</i> , 101:325-331, (1994).
AT3	Ruiter, et al., "Quality Control of Immunohistochemical Evaluation of Tumour-associated Plasminogen Activators and Related Components," <i>Eur. J. Cancer</i> , 34(9): 1334-1340, (1998).
AU3	McClelland, et al., "A Multicenter Study into the Reliability of Steroid Receptor Immunocytochemical Assay Quantification," <i>Eur. J. Cancer</i> , 27(6): 711-715, (1991).

EXAMINER

DATE CONSIDERED